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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/083,445	10/19/2001	C. Todd Praisner	WRKS:005	8322

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O'KEEFE, EGAN & PETERMAN, L.L.P.
Building C, Suite 200
1101 Capital of Texas Highway South
Austin, TX 78746

EXAMINER

LIVERSEDGE, JENNIFER L

ART UNIT	PAPER NUMBER
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3692

SHORTENED STATUTORY PERIOD OF RESPONSE	MAIL DATE	DELIVERY MODE
3 MONTHS	01/25/2007	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

Office Action Summary

Application No.

10/083,445

Applicant(s)

PRAISNER ET AL.

Examiner

Jennifer Liversedge

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 18 December 2006.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-78 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-78 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Response to Amendment

This Office Action is responsive to Applicant's amendment and request for reconsideration of application 10/083,445 filed on December 18, 2006.

The amendment contains original claims: 2-7, 10-16, 18-24, 26, 29-31, 34-36, 41-46, 49-55, 57-63, 65, 68-71, 73-75 and 78.

The amendment contains amended claims: 1, 8-9, 17, 25, 27-28, 32-33, 37-40, 47-48, 56, 64, 66-67, 72 and 76-77.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

The factual inquiries set forth in *Graham v. John Deere Co.*, 383 U.S. 1, 148 USPQ 459 (1966), that are applied for establishing a background for determining obviousness under 35 U.S.C. 103(a) are summarized as follows:

1. Determining the scope and contents of the prior art.
2. Ascertaining the differences between the prior art and the claims at issue.
3. Resolving the level of ordinary skill in the pertinent art.
4. Considering objective evidence present in the application indicating obviousness or nonobviousness.

Claims 1-78 are rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent No. 6,343,279 B1 to Bissonette et al. (further referred to as Bissonette), and further in view of U.S. Patent No. 5,621,201 to Langhans et al. (further referred to as Langhans).

Regarding claims 1, 11-12, 40, and 50-51, Bissonette discloses a method and system for dynamically managing payment card control settings (column 1, lines 40-54; column 2, lines 43-47; column 3, lines 16-27; column 5, lines 42-57; column 7, lines 49-52), comprising:

Receiving a purchase request from a requestor within an entity (column 2, lines 48-52; column 3, lines 28-31; column 5, lines 58-67; column 6, lines 46-50; column 9, lines 54-60; column 14, lines 49-51);

Processing the purchase request with respect to purchase policies for the entity (column 1, lines 5-15 and lines 40-54; column 2, lines 43-56; column 3, lines 3-9; column 5, lines 41-46; column 6, lines 16-27);

Approving the purchase request if the purchase policies are satisfied (column 5, lines 41-47; column 15, lines 20-44);

Reviewing control settings for a payment card associated with the approved purchase request (column 1, lines 40-54; column 2, lines 43-58; column 3, lines 20-27);
and

Adjusting the control settings for the payment card so that the payment card may be used to make a purchase associated with the approved purchase request (column 5, lines 42-57; column 7, lines 49-53);

Wherein the control settings comprise a vendor identity code and a maximum single transaction limit (column 1, lines 40-54; column 6, lines 8-27).

Bissonette does not disclose where the control settings are reviewed and adjusted at a card processor. However, Langhans discloses where the control settings are reviewed and adjusted at a card processor (Abstract; column 2, lines 29-38; column 5, lines 3-9; column 6, lines 11-44; column 7, lines 8-16; column 11, lines 24-45; column 12, line 62 – column 13, line 18). It would be obvious to one of ordinary skill in the art to modify the transaction dynamic approval system and method as disclosed by Bissonette to adapt the use of the card processor reviewing and adjusting the controls as disclosed by Langhans. The motivation would be to increase efficiency in the approval process whereby the card processor, when performing an authorization check, has access to the corporate database for controls with parameters which may be adjusted according to rules such that the internal company processes may be followed without the need for an internal company representative actively being involved. With the use of 24 hour a day transactions, it is more practical to use a central database accessed by the card processor in order to make such determinations as opposed to an internal company representative being either on call 24 hours a day, or run the risk of an employee being in the circumstance of needing an adjustment made for a transaction and being unable to have access to such services.

Regarding claims 17, 32-34, 37-39, 56, 71-73 and 76-78, Bissonette discloses a method and system to provide dynamic management of payment mechanisms (column 1, lines 40-54; column 2, lines 43-47; column 3, lines 16-27; column 4, lines 21-59; column 5, lines 42-57; column 7, lines 49-52), comprising:

Receiving at one or more server systems a request from within an entity to make available certain purchasing capabilities with respect to a payment mechanism (column 2, lines 48-52; column 3, lines 28-31; column 5, lines 58-67; column 6, lines 46-50; column 9, lines 54-60; column 14, lines 49-51);

Communicating from the one or more server systems to a processing system to obtain information representing approval parameters associated with the payment mechanism, the processing system being a system that processes transactions initiated using the payment mechanism based upon approval parameters associated with the payment mechanism, the approval parameters being stored by the processing system (column 1, lines 40-54; column 2, lines 43-58; column 3, lines 20-27; column 5, lines 34-47); and

Sending from the one or more server systems to the processing system adjustment instructions to adjust the approval parameters for the payment mechanism so that the purchasing capabilities are available (column 2, lines 52-56; column 5, lines 48-57; column 7, lines 49-54);

Wherein the control settings comprise a vendor identity code and a maximum single transaction limit (column 1, lines 40-54; column 6, lines 8-27).

Bissonette does not disclose where the control settings are stored, reviewed and adjusted at a card processor. However, Langhans discloses where the control settings are stored, reviewed and adjusted at a card processor (Abstract; column 2, lines 29-38; column 5, lines 3-9; column 6, lines 11-44; column 7, lines 8-16; column 11, lines 24-45; column 12, line 62 – column 13, line 18). It would be obvious to one of ordinary skill in the art to modify the transaction dynamic approval system and method as disclosed by Bissonette to adapt the use of the card processor reviewing and adjusting the controls as disclosed by Langhans. The motivation would be to increase efficiency in the approval process whereby the card processor, when performing an authorization check, has access to the corporate database for controls with parameters which may be adjusted according to rules such that the internal company processes may be followed without the need for an internal company representative actively being involved. With the use of 24 hour a day transactions, it is more practical to use a central database accessed by the card processor in order to make such determinations as opposed to an internal company representative being either on call 24 hours a day, or run the risk of an employee being in the circumstance of needing an adjustment made for a transaction and being unable to have access to such services.

Regarding claims 2 and 41, Bissonette discloses the method and system wherein the purchase policies are configurable through a network interface that provides a

plurality of customizable purchasing management rules that reside on one or more server systems (column 4, lines 21-59).

Regarding claims 3 and 42, Bissonette discloses the method and system wherein the customizable purchasing management rules comprise an ability to configure organization structures and approval chains (column 3, lines 16-27; column 5, lines 42-57; column 7, lines 49-53).

Regarding claims 4 and 43, Bissonette discloses the method and system further comprising notifying an approver of a purchase request, if some action is required from the approver for the purchase request to be approved, and allowing the approver to take the required action through a network accessible approval mechanism (column 3, lines 16-27; column 5, lines 41-57; column 7, lines 49-53).

Regarding claims 5 and 44, Bissonette discloses the method and system wherein the network comprises the Internet (column 1, lines 65-67; column 4, lines 21-35).

Regarding claims 6 and 45, Bissonette discloses the method and system further comprising associating a payment card with an element within the entity, the element being the requester, another person, a vehicle or a building (column 1, lines 49-54; column 4, lines 60-64; column 5, lines 18-27).

Regarding claims 7 and 46, Bissonette discloses the method and system wherein the received purchase request includes an identification of the payment card (column 3, lines 16-49; column 8, lines 3-27; column 9, lines 54-61).

Regarding claims 8 and 47, Bissonette discloses the method and system wherein the card control settings comprise at least one of credit limit, velocity controls, and slot controls (column 1, lines 40-54; column 3, lines 1-10; column 4, lines 21-59; column 5, lines 18-27).

Regarding claims 9 and 48, Bissonette discloses the method and system further comprising generating a set of approval parameters for the approved purchase request and comparing the approval parameters with the control settings to determine what adjustments to make so that the purchase may be made with the payment card (column 1, lines 40-54; column 2, lines 43-58; column 3, lines 16-27; column 5, lines 41-57; column 7, lines 49-53).

Regarding claims 10 and 49, Bissonette discloses the method and system wherein the control settings correspond to the approval parameters (column 1, lines 40-54; column 2, lines 43-58; column 3, lines 16-27; column 5, lines 41-57; column 7, lines 49-53).

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Regarding claims 13 and 52, Bissonette discloses the method and system wherein the reviewing step comprises a purchasing management system sending a request to the card processor for information representing the control settings for the payment card and the card processor sending back to the purchasing management system the requested card control setting information, and wherein the adjusting step comprises the purchasing management system sending to the card processor desired adjustments to the card control settings and the card processor modifying the stored card settings based upon the desired adjustments (column 1, lines 40-54; column 2, lines 43-56; column 5, lines 41-57; column 7, lines 49-53).

Regarding claims 14, 26, 53 and 65, Bissonette discloses the method and server-based system wherein at least one intermediate system processes communications between the purchasing management system and the card processor (column 5, lines 34-38).

Regarding claims 18 and 57, Bissonette discloses the method and server-based system wherein the request comprises an approved purchase request related to one or more desired transactions, the approved purchase request being generated by receiving a purchase request from a requestor within the entity, processing the purchase request with respect to purchase policies for the entity, and approving the purchase request if the purchase policies are satisfied; and generating the request based upon the purchase request (column 1, lines 5-15 and lines 40-54; column 2, lines

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43-56; column 3, lines 3-9; column 5, lines 41-46; column 6, lines 16-27; column 15, lines 20-44).

Regarding claims 19 and 58, Bissonette discloses the method and server-based system further comprising receiving at the one or more server systems transaction data associated with a transaction once completed using the payment mechanism and reconciling the transaction data with the purchase request (column 2, lines 8-14 and lines 59-61; column 3, lines 28-49).

Regarding claims 20 and 59, Bissonette discloses the method and server-based system wherein the request comprises a request to provide pre-approved purchasing authority for the payment mechanism and wherein the approval parameters are adjusted to provide this pre-approved purchasing authority (column 2, lines 42-58; column 3, lines 16-27; column 5, lines 42-57; column 7, lines 49-53).

Regarding claims 21 and 60, Bissonette discloses the method and server-based system further comprising receiving at the one or more server systems transaction data associated with a transaction once completed using the payment mechanism and synthesizing a purchase request based upon the transaction data (column 1, lines 5-15;

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column 2, lines 59-65; column 3, lines 28-49; column 5, lines 18-27; column 8, lines 3-22; column 9, lines 54-61; column 10, lines 24-32).

Regarding claims 22 and 61, Bissonette discloses the method and server-based system further comprising processing the synthesized purchase request with respect to purchase policies for the entity and approving the synthesized purchase request if the purchase policies are satisfied (column 1, lines 5-15 and lines 40-54; column 2, lines 43-65; column 3, lines 3-49; column 5, lines 18-57; column 7, lines 49-53; column 8, lines 3-22; column 9, lines 54-61; column 10, lines 24-32).

Regarding claims 24 and 63, Bissonette discloses the method and server-based system wherein a plurality of requests are received with respect to a plurality of payment mechanisms, and wherein a plurality of requests are associated with each payment mechanism (column 5, lines 34-42 where Bissonette discloses passing the transaction to either a bank or credit card issuer depending on the specific payment mechanism being used, ie. sending debits to a bank and credits to a credit card issuer).

Regarding claims 25 and 64, Bissonette discloses the method and server-based system wherein the payment mechanism comprises a payment card, wherein the approval parameters comprise control settings for the payment card further comprising at least one of credit limit, velocity controls and slot controls, and wherein the one or

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more server systems comprise a purchasing management system (column 1, lines 5-15 and lines 40-54; column 2, lines 35-65; column 3, lines 3-49; column 5, lines 18-57; column 7, lines 49-53).

Regarding claims 29 and 68, Bissonette discloses the method and server-based system wherein the purchase policies are configurable through a network interface that provides a plurality of customizable purchasing management rules that reside on one or more server systems (column 1, lines 5-15; column 4, lines 21-59).

Regarding claims 30 and 69, Bissonette discloses the method and server-based system wherein the network comprises the Internet (column 1, lines 65-67; column 4, lines 21-35).

Regarding claims 31 and 70, Bissonette discloses the method and server-based system further comprising associating a plurality of payment cards with the plurality of elements within an entity, the elements comprising persons, vehicles or buildings (column 1, lines 49-54; column 4, lines 60-64; column 5, lines 18-27).

Regarding claims 35 and 74, Bissonette discloses the method and server-based system wherein the payment mechanism comprises a dynamic payment identifier (column 2, lines 42-58; column 5, lines 42-57; column 7, lines 49-53; column 10, lines 24-44; column 15, lines 29-33).

Regarding claims 36 and 75, Bissonette discloses the method and server-based system wherein the payment mechanism further comprises a payment card having the dynamic payment identifier associated with it (column 10, lines 14-44; column 15, lines 29-33).

Regarding claim 51, Bissonette discloses the system wherein the card processor is further configured to receive the parameters of the attempted purchase transaction from a vendor and to communicate the authorization back to the vendor if the attempted purchase transaction is approved (column 5, lines 34-42; column 6, lines 8-31).

Regarding claims 15-16, 27-28, 54-55 and 66-67, Bissonette does not specifically disclose the method and server-based system wherein the at least one intermediate system comprises a secure proxy system configured to provide process isolation between the purchasing management system and the card processor, to provide one or more security mechanisms for communications between the purchasing management system and the card processor, and to process these communications so that they are received in recognized formats; and wherein the at least one intermediate system further comprises an interface system that provides a communication interface for the card processor, the secure proxy system communicating with the card processor through the interface system. However, Bissonette discloses intermediaries through

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which transactions pass prior to reaching the authorizing agent during which transition the bank or credit card issuer as the intermediary performs "normal processing" (column 5, lines 34-42).

Further, Langhans discloses wherein the at least one intermediate system comprises a secure proxy system configured to provide process isolation between the purchasing management system and the card processor, to provide one or more security mechanisms for communications between the purchasing management system and the card processor, and to process these communications so that they are received in recognized formats; and wherein the at least one intermediate system further comprises an interface system that provides a communication interface for the card processor, the secure proxy system communicating with the card processor through the interface system (Figure 8; column 6, lines 11-35).

It would be obvious to one of ordinary skill in the art that passing transactions through banks and credit card companies would be for the purpose of offering a secure proxy system, providing security as the transaction passes through the processor and providing formatting as required between interfacing systems. The motivation would be to provide extra layers of security as a transaction moves through to a card transaction processor, verifying account holder, authorized users, account numbers, etc. as the transaction is communicated to the processor, and to provide such data in a format which subsequent parties would be capable of receiving and processing.

Regarding claims 23 and 62, Bissonette does not specifically disclose the method further comprising adjusting the approval parameters to restore the pre-approved purchasing authority based upon an occurrence of one or more selected events after completion of the transaction. However, Bissonette discloses credit cards subject to single purchase controls (column 12, lines 41-45 and column 3, lines 3-10) where secondary approvals are obtained when a particular purchase item exceeds one or more limitation (column 3, lines 20-27) and where for a particular transaction, intervention by a systems manager may be required in order for the limits to be removed or expanded in order to process that particular transaction (column 5, lines 42-57 and column 7, lines 49-53). Examiner takes Official Notice that it would be obvious to one of ordinary skill in the art that after conducting the particular transaction, the limits imposed on a particular cardholder would revert to the originally assigned limits, as the approval process as disclosed by Bissonette involves generating an exception and modified limits for single transactions, the motivation being to permit only a particular transaction to be allowed to be processed though over pre-assigned limits, while maintaining the account at the original levels for future time intervals and related to future purchases.

Response to Arguments

Applicant's arguments with respect to claims 1-78 have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.

Any inquiry concerning this communication should be directed to Jennifer Liversedge whose telephone number is 571-272-3167. The examiner can normally be reached on Monday – Friday, 8:30 – 5 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Richard Chilcot can be reached at 571-272-6777. The fax number for the organization where the application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for

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Status information for unpublished applications is available through Private PAIR only.

For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic

Business Center (EBC) at 866-217-9197 (toll-free).



Jennifer Liversedge

Examiner

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FRANTZY POINVIL
PRIMARY EXAMINER

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